

**Frenchman Bay Regional Shellfish Program
Annual Shellfish License Allocation Plan for 2011**

1. 2011 Commercial License Fees are as follows:

Resident Commercial License:	\$400.00
Non-resident Commercial License:	\$600.00
Resident Junior Commercial License:	\$200.00
Non-resident Junior Commercial License:	\$300.00
Resident Senior Commercial License:	\$200.00
Non-resident Senior Commercial License:	\$300.00

2. License Applications and Sales:

All classes of commercial clam harvesting license applications will be made available through the Administrative Municipality (City of Ellsworth). Individuals requesting commercial licenses will be issued an application upon request. The Administrative Municipality will issue a receipt indicating an application has been received, if requested by the applicant.

All commercial licenses will go on sale during normal business hours at the Administrative Municipality (City of Ellsworth) **beginning June 15, 2011.**

Non-commercial (recreational) licenses will go on sale during normal business hours at the municipal offices of each of the seven participating municipalities **beginning June 15, 2011.**

The effective date of licenses sold is July 1, 2011 through June 30, 2012.

3. Non-resident Commercial License Lottery and Sale Procedure:

Current holders of non-resident commercial shellfish harvesting licenses have seniority and may simply purchase a *renewal* license without participating in the lottery. A non-resident commercial shellfish harvesting license “waiting list” will be created by a license lottery that will be held at the Ellsworth City Hall on June 15, 2011 to draw twelve (12) names from which any available non-resident commercial license will be sold, determined by the order drawn in the lottery. **Applications for the 2011 non-resident commercial license lottery must be received by the Administrative Municipality (City of Ellsworth) no later than end of the business day on June 1, 2011.** Postmarks will not be accepted. The Administrative Municipality will issue a receipt indicating that an application has been received, if requested by the applicant.

The lottery to determine the “waiting list” for non-resident commercial shellfish harvesting licenses that may become available will take place at the Ellsworth City Hall **on June 15th, 2011 at 11:00 AM.** The Administrative Municipality shall post a list of successful applicants drawn by the lottery who will be eligible for any non-resident commercial shellfish harvesting license that may become available up to the date of the next drawing in 2012, in the order that their names were drawn in the lottery.

Any non-resident commercial shellfish licenses available to be sold as a result of the drawing **must be purchased and paid for in full amount immediately following the lottery.** Failure to immediately purchase and pay for, in full amount, any available non-resident commercial shellfish harvesting license will result in disqualification and the next person drawn, in order of

drawing priority, will become eligible. Any names drawn in the lottery, for whom a non-resident commercial shellfish harvesting license was unavailable and who did not become disqualified, will be placed on the “waiting list” and will remain eligible to purchase a non-resident commercial shellfish harvesting license, should one become available, prior to the date of the drawing to be held the next following year. **Please refer to paragraph 12, below, for more detailed information on the lottery procedure details.**

4. Resident Commercial License Distribution:

A resident commercial shellfish harvesting license will be available to residents (as defined by the shellfish ordinance) of one of the participating communities on an unlimited basis for the period of issuance.

5. Non-resident Commercial License Distribution:

Current holders of valid non-resident commercial shellfish harvesting licenses have seniority and may simply purchase a renewal license. **All non-resident commercial shellfish harvesting renewal licenses must be purchased before July 1, 2011.** Failure to do so will cause any current non-resident commercial shellfish harvesting license holder to forfeit their seniority and they will become ineligible to purchase a renewal license. Any non-resident commercial shellfish harvesting license that becomes available at a date after July 1, 2011, for any reason, will be offered for sale to a person on the waiting list, in order of priority drawn. That license must be purchased and paid for, in full amount, within 24 hours of being notified by the Clerk of the Administrative Community that they are eligible to purchase a non-resident commercial shellfish harvesting license. **Notification will be deemed to have been given to the person on the waiting list when any person responds to the contact information provided on the lottery application.**

6. Resident/Non-resident Junior and Senior Commercial License Distribution:

Junior and senior commercial shellfish harvesting licenses will be available to residents (as defined by the shellfish ordinance) and non-residents on an unlimited basis for the period of issuance.

Junior Commercial License: to be eligible, the applicant must be younger than age 17 (not yet have reached their 17th birthday) at the time of issuance of the license.

Senior Commercial License: to be eligible as a senior the applicant must be over the age of 65 (must have reached their 65th birthday) at the time of issuance of the license.

7. Recreational Licenses:

The number of recreational licenses will not be limited. Recreational licenses shall be issued to residents and non-residents, without restriction in number. Recreational licenses will be available at the Municipal Offices of all participating communities during their normal business hours. **Recreational licensees are not available to anyone holding a State of Maine Commercial Shellfish License** and applicants are required to notify the City/Town Clerk, if they hold one.

8. Misrepresentation:

Any applicant who deliberately provides false or misleading information on an application shall be disqualified for any license or from the license lottery. In addition, if a license is awarded to an applicant on the basis of false or misleading information, the license fee shall be withheld and

the license declared void. The applicant will also lose any seniority standing in a future license lottery.

9. Documentation:

The Administrative Municipality will keep all applications on file and will issue an individual license to each commercial licensee.

An individual recreational license will be issued to each recreational licensee by the Clerk of the Municipal Office of the municipality in which a resident of the seven participating municipalities resides.

A non-resident recreational license will be issued by the Clerk of the Municipal Office of any of the seven participating municipalities.

Recreational applications will be kept on file at the Municipal Office of the Town in which they were sold.

Each Town Office will provide a copy of the Shellfish Ordinance to an applicant at the time the license is issued, if requested.

10. Proof of Residency:

In order to determine resident eligibility new residents shall provide two forms of proof of residency from the list below. At **least** one shall be from Section 3 in chart below. All licensed harvesters must provide proof of residency on an annual basis:

Section 1	Section 2	Section 3
<ul style="list-style-type: none">*Copy of deed AND record of most recent mortgage payment.*Copy of Lease AND record of most recent legal affidavit from landlord affirming tenancy.*Legal affidavit from landlord affirming tenancy AND record of most recent rent payment.	<p>A utility bill, or other work order, dated within the past 60 days including:</p> <ul style="list-style-type: none">*Gas Bill*Oil Bill*Electric Bill*Telephone Bill*Cable or Satellite Bill <p>Dated within the past year:</p> <ul style="list-style-type: none">*W-2 Form*Excise (vehicle) tax bill*Property tax bill <p>*Dated within the past 60 days:</p> <ul style="list-style-type: none">*Letter from approved Government agency*Payroll Stub*Bank or credit card statement	<ul style="list-style-type: none">*Any valid form of photo ID and proof of residency, that may include:*A valid Maine Driver's License that displays a physical address.*A valid Maine photo ID card that displays a physical address.*A valid passport that displays a physical address.*A current vehicle registration that displays a physical address.

11. Conservation Time:

Twelve (12) hours of approved conservation time **must be completed before June 15, 2011** in order to be eligible to purchase a *renewal* resident or non-resident commercial shellfish harvesting license on or after June 15, 2011.

Six (6) hours of approved conservation time **must be completed before June 15, 2011** in order to be eligible to purchase a *renewal* resident or non-resident junior or senior commercial shellfish harvesting license on or after June 15, 2011.

Please note that any conservation hours worked between June 15, 2011 and June 15, 2012 will count only toward license *renewals* that will commence on June 15, 2012.

The requirement to complete the required conservation time **prior to purchasing a renewal license** is mandatory. No conservation time is required to purchase a “first-time” license because conservation time is waived for “first-time” licensees.

12. Procedures for conducting the lottery:

1. When applications are complete and accepted by the Town Clerk of the Administrative Town, applicant names will be printed on blank cards suitable for a drawing. All cards will be the same size and weight.
2. The Town Clerk will acknowledge receipt of the application.
3. All lottery cards will be placed in a container suitable for the drawing and appropriate security measures will be taken.
4. The Municipal Joint Board shall designate a party, who may be any appointed municipal official or municipal employee who is disinterested in the outcome of the procedure, to draw names. “Disinterested” is defined to mean not related by blood, marriage, or adoption to any of the applicants and not having a direct or indirect financial interest in the outcome of the procedure.
5. As each card is drawn, the applicants name will be placed on a Master Roster.
6. Twelve (12) names will be drawn and listed on the “waiting list” in the order in which their names were drawn. Any non-resident commercial shellfish harvesting license openings that develop, for any reason, will be filled from the “waiting list”, in the order drawn.
7. The lottery drawing to develop the “waiting list” will take place on a yearly basis and names drawn for this list are good for one year or until the date of the next lottery.

13. Replacement License Fees:

The cost to replace a commercial license will be \$10.00.

The cost to replace a recreational license will be \$3.00.